

### **III. REMARKS/ARGUMENTS**

#### **A. Status of the Claims**

As indicated in the Final Action, claims 1-3, 5-7, 9-14, and 16-22 are currently pending in the application. Of those pending, claims 1-3, 5-7, 10, 11, 13, 14, 17-19, and 21 stand rejected, claims 9 and 12 stand objected to, and claims 16, 20, and 22 have been indicated as allowed.

Applicant's representative submitted an Amendment on December 13, 2006, proposing to amend claims 1 and 3, and presenting other reasons for allowance of the pending claims. As indicated in the Advisory Action mailed January 23, 2007, the proposed claim amendments were not entered, because the amendments were not deemed to place the application in better form for appeal, and the amendments raised new issues that would require further consideration or search by the Examiner.

By this proposed amendment, Applicant proposes to amend the claims that the Examiner has previously indicated are allowable, and to cancel the rejected claims without prejudice. According to the proposed amendment, claims 1-8, 10-15, 17-19, and 21 are cancelled, claims 9, 16, and 20 are amended, and allowable claim 12 has been rewritten into new claims 23 and 24. Cancellation of the above-mentioned claims is done merely to further prosecution and allowance of this application; Applicant reserves the right to pursue one or more of the cancelled claims in a continuing application. No new matter is introduced by this proposed amendment. Furthermore, Applicant believes that the proposed amendment places the application in condition for allowance, without raising any issues that would require further consideration or search by the Examiner. As such, Applicant respectfully requests entry of the amendment and allowance of the application.

#### **B. Claim Amendments**

The Final Action indicates that claims 9 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten into independent form including all the limitations of the base claim and any intervening claims. Final Action at 7. Accordingly, claim 9 has been rewritten to incorporate the limitations of independent claim 1, from which it originally depended. Claim 12, which depends from claim 10 or 11, has been cancelled, and

rewritten as claims 23 and 24, incorporating the limitations of base claims 10 and 11, respectively.

The Final Action indicates that claims 16, 20, and 22 are allowed. Minor amendments have been made to claims 16 and 20, to correct spelling errors and inconsistencies in drafting.

No new matter is introduced by the above amendments. Furthermore, Applicant believes the amendments comply with the requirements of 37 C.F.R. § 1.116, as the proposed amendments merely adopt Examiner's suggestions set forth in the Final Action, and place the claims in condition for allowance or at least better condition for appeal. As such, Applicant respectfully requests entry of the amendment and allowance of the application.

#### **B. Claim Rejections**

The Final Action rejects claims 1-3, 7, 10, 13, and 14 under 35 U.S.C. § 102(b); and claims 5, 6, 11, and 17-19, and 21 under 35 U.S.C. § 103(a). The proposed amendment cancels the rejected claims (without prejudice), thereby obviating these grounds for rejection.

#### IV. CONCLUSION

The Applicant respectfully submits that the foregoing amendments comply with the requirements of 37 C.F.R. § 1.116, and place the application in condition for allowance. As such, Applicant respectfully requests prompt entry of the amendment and indication of allowance of the application. The statutory period for reply ends on Friday, April 13, 2007. Should the Examiner be unable to make a determination prior to that date, Applicant urges Examiner to promptly notify Applicant's undersigned representative, so that additional measures may be taken to preserve Applicant's rights in this application.

In the event any additional fees are necessary in connection with the filing of this communication, please charge such fees, to the undersigned's Deposit Account No. 50-0206. Should any outstanding issues remain, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,  
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Dated: April 5, 2007

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